

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA**

WILDEARTH GUARDIANS, MONTANA  
ENVIRONMENTAL INFORMATION  
CENTER, CENTER FOR BIOLOGICAL  
DIVERSITY, SIERRA CLUB, and  
WATERKEEPER ALLIANCE, INC.,

Plaintiffs,

vs.

U.S. BUREAU OF LAND MANAGEMENT,  
an agency within the U.S. Department of the  
Interior; DEBRA HAALAND, in her official  
capacity as Secretary of the United States  
Department of the Interior; and KIMBERLY  
PRILL, in her official capacity as Montana  
Bureau of Land Management Deputy State  
Director,

Defendants.

Case No. 4:21-cv-00004-  
BMM-JTJ

**STIPULATED DISMISSAL WITH PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Parties hereby stipulate to the dismissal with prejudice of this lawsuit pursuant to the terms of their Stipulated Settlement Agreement (Agreement), which is attached as Exhibit A. The Parties further request that the Court retain jurisdiction solely to resolve any motions to enforce the terms of Paragraphs 3 and 5 of this Agreement, *see Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375 (1994), and for the

purpose of resolving any motion for attorneys' fees and costs filed by Plaintiffs in accordance with the Equal Access to Justice Act.

Dated: September 6, 2022

It is so stipulated,

TODD KIM  
Assistant Attorney General  
Environment and Natural Resources  
Division

/s/ Michael S. Sawyer

MICHAEL S. SAWYER  
Senior Attorney, Natural Resources Section  
Ben Franklin Station, P.O. Box 7611  
Washington, D.C. 20044-7611  
Telephone: (202) 514-5273  
Fax: (202) 305-0506  
Email: michael.sawyer@usdoj.gov

*Counsel for Defendants*

/s/ Thomas Delehanty

Thomas Delehanty (admitted pro hac vice)  
Earthjustice  
633 17th St., Suite 1600  
Denver, CO 80202  
Phone: (303) 996-9628  
E-mail: tdelehanty@earthjustice.org

Elizabeth B. Forsyth (admitted pro hac vice)  
Earthjustice  
810 3rd Ave #610  
Seattle, WA 98104  
Phone: (213) 766-1067  
E-mail: eforsyth@earthjustice.org

Melissa Hornbein (MT Bar No. 9694)  
Western Environmental Law Center  
103 Reeder's Alley  
Helena, MT 59601  
Phone: (406) 471-3173  
E-mail: hornbein@westernlaw.org

Barbara Chillcott (MT Bar No. 8078)  
Western Environmental Law Center  
103 Reeder's Alley  
Helena, MT 59601  
Phone: (406) 430-3023  
E-mail: chillcott@westernlaw.org

*Counsel for Plaintiffs*

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: \_\_\_\_\_

\_\_\_\_\_  
BRIAN MORRIS  
CHIEF UNITED STATES DISTRICT JUDGE